

2013 DRAFTING REQUEST

Bill

Received:	1/23/2013	Received By:	agary
Wanted:	As time permits	Same as LRB:	-1801
For:	John Murtha (608) 266-7683	By/Representing:	Alicia Schneider
May Contact:		Drafter:	agary
Subject:	Transportation - highways	Addl. Drafters:	
		Extra Copies:	EVM

Submit via email: **YES**
Requester's email: **Rep.Murtha@legis.wisconsin.gov**
Carbon copy (CC) to: **aaron.gary@legis.wisconsin.gov**

Pre Topic:

No specific pre topic given

Topic:

Designating and marking STH 128 as the 128th Infantry Memorial Highway

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	agary 1/23/2013	evinz 1/24/2013	jmurphy 1/24/2013	_____			
/P1	agary 1/29/2013			_____	sbasford 1/24/2013		State
/P2	agary 2/19/2013	evinz 1/31/2013	phenry 1/31/2013	_____	mbarman 1/31/2013		State

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/P3	agary 3/5/2013	evinz 2/19/2013	jmurphy 2/19/2013	_____	sbasford 2/19/2013		State
/1		evinz 3/5/2013	jmurphy 3/5/2013	_____	mbarman 3/5/2013	mbarman 3/5/2013	State

FE Sent For:

*at intro
3/26*

<END>

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Per ARG

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/P2	agary 2/19/2013	evinz 1/31/2013	phenry 1/31/2013	_____	mbarman 1/31/2013		State

Handwritten note:
 PAs:
 Please
 jacket //.
 Thx. ALG

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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/P3		evinz 2/19/2013	jmurphy 2/19/2013	_____	sbasford 2/19/2013		State
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FE Sent For:

1 ew 3/5/13 jm 3/5 self

<END>

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May Contact: Drafter: agary
Subject: Transportation - highways Addl. Drafters:
Extra Copies: EVM

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p3 ev 2/19/13 gm 2/19 self

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Pre Topic:

No specific pre topic given


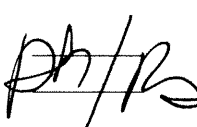
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Instructions:

See attached

Drafting History:

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/?	agary	pl ee 1/24/13	 1/24/13	<u>Self</u>			

FE Sent For:

<END>

Gary, Aaron

From: Gary, Aaron
Sent: Wednesday, January 23, 2013 12:10 PM
To: Schneider, Alicia
Subject: RE: Corrections to a LRB for drafting

Thanks Alicia. I made the second change. As far as the first change goes, the markers aren't really specified in sub. (1) (it is the route that is specified). However, given your explanation for the reason for the change, I think the same objective can be accomplished by simply changing "along the route" to "for the route." I'll go ahead and make that change and make the draft a /P1. Hopefully that will work. If not, we can try again. Thanks. Aaron

Aaron R. Gary
Attorney, Legislative Reference Bureau
608.261.6926 (voice)
608.264.6948 (fax)
aaron.gary@legis.state.wi.us

From: Schneider, Alicia
Sent: Wednesday, January 23, 2013 11:17 AM
To: Gary, Aaron
Subject: RE: Corrections to a LRB for drafting

Hi Aaron,

We were wanting to change it because the DOT is trying to move away from the signs along the roadway to markers located in the waysides and rest areas. We are working to put the sign near the road on State Fair grounds.

Thank you,

Alicia Schneider
Legislative Aide
Office Of State Representative John Murtha
(608) 266-7683
alicia.schneider@legis.wisconsin.gov

From: Gary, Aaron
Sent: Wednesday, January 23, 2013 10:44 AM
To: Schneider, Alicia
Subject: RE: Corrections to a LRB for drafting

Hi Alicia,

I'll be the drafter on this redraft. The existing language in the bill is pretty standard statutory boilerplate that appears in more than a dozen road sign statutes. See, for example, ss. 84.1019 (2), 84.2021 (2), 84.10215 (2), 84.10217 (2), 84.1026 (2), 84.1027 (2), 84.1031 (2), 84.1034 (2), 84.1036 (2), etc. I'm wondering if there is a specific concern giving rise to your proposed modification of this language. Thanks. Aaron

Aaron R. Gary
Attorney, Legislative Reference Bureau
608.261.6926 (voice)
608.264.6948 (fax)
aaron.gary@legis.state.wi.us

From: Schneider, Alicia
Sent: Wednesday, January 23, 2013 9:51 AM
To: LRB.Legal
Subject: Corrections to a LRB for drafting

Good Morning,

I originally had a bill drafted a few months ago, LRB-4353, regarding the 128th Infantry Memorial Highway. I would like to make a few changes to this bill and have it redrafted as soon as possible. I have put the changes at the bottom of this email. Please let me know when you receive this email. Thank you for your time and help.

- In its current form, the draft reads: "to cover the costs of erecting and maintaining markers along the route specified in sub. (1) to clearly identify to motorists the designation of the route as the 128th Infantry Memorial Highway
- Proposed modification: "to cover the costs of erecting and maintaining marker(s) along the route specified in sub. (1) to clearly identify to motorists the designation of the route as the 128th Infantry Memorial Highway,"

Thank you,

Alicia Schneider
Legislative Aide
Office Of State Representative John Murtha
(608) 266-7683
alicia.schneider@legis.wisconsin.gov

Barman, Mike

From: LRB.Legal
Sent: Wednesday, January 23, 2013 9:56 AM
To: Gary, Aaron
Cc: Schneider, Alicia
Subject: FW: Corrections to a LRB for drafting

Aaron,

Looks like they need this one (2011 LRB-4353) redrafted for the 2013 session (with a few changes... see below).

Thanks,

MB

From: Schneider, Alicia
Sent: Wednesday, January 23, 2013 9:51 AM
To: LRB.Legal
Subject: Corrections to a LRB for drafting

Good Morning,

I originally had a bill drafted a few months ago, LRB-4353, regarding the 128th Infantry Memorial Highway. I would like to make a few changes to this bill and have it redrafted as soon as possible. I have put the changes at the bottom of this email. Please let me know when you receive this email. Thank you for your time and help.

- In its current form, the draft reads: *"to cover the costs of erecting and maintaining markers along the route specified in sub. (1) to clearly identify to motorists the designation of the route as the 128th Infantry Memorial Highway"*
- Proposed modification: *"to cover the costs of erecting and maintaining marker(s) ~~along the route~~ specified in sub. (1) to clearly identify ~~to motorists~~ the designation of the route as the 128th Infantry Memorial Highway,"*

Thank you,

Alicia Schneider

Legislative Aide

Office Of State Representative John Murtha

(608) 266-7683

alicia.schneider@legis.wisconsin.gov

"RESEARCH APPENDIX"

... Drafting History Reproduction Request Form ...



DRAFTING ATTORNEYS: PLEASE COMPLETE THIS FORM AND GIVE TO MIKE BARMAN

(Request Made By: ARG) (Date: 1 / 23 / 13)

Note:

***BOTH DRAFTS SHOULD HAVE THE
SAME "REQUESTOR"***

(exception: companion bills)



Please transfer the drafting file for

2011 LRB - 4353 (For: Rep. Sen. Murtha)

to the drafting file for

2013 LRB - 1290 (For: Rep. / Sen. Murtha)

-----OR-----



Please copy the drafting file for

2013 LRB None (include the version) (For: Rep. / Sen. _____)

and place it in the drafting file for

2013 LRB _____ (For: Rep. / Sen. _____)



Are These "Companion Bills" ?? ... Yes No

If yes, who in the initial requestor's office authorized the copy/transfer of the drafting history

("guts") from the original file: _____



State of Wisconsin
2011 - 2012 LEGISLATURE

3 4

500



LRB-4353/P1-1290/P1

ARG:kjm

in 1/23

Leev
RMNR

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

- 1 AN ACT ^{regl} to create 84.10315 of the statutes; relating to: designating and marking
2 STH 128 as the 128th Infantry Memorial Highway.

Analysis by the Legislative Reference Bureau

Under current law, certain highway routes and bridges have been designated and marked to memorialize, commemorate, or recognize certain individuals, groups, or events. This bill directs the Department of Transportation to designate and, upon receipt of sufficient contributions from interested parties, mark the route of STH 128 in Pierce and St. Croix counties as the "128th Infantry Memorial Highway" to honor the members of the 128th Battalion of the 32nd Infantry Brigade for bravery, sacrifice, and devotion in their service in Iraq as well as World Wars I and II. No state funds, other than from contributions from interested parties, may be used for the erection or maintenance of any markers on STH 128 to identify the highway as the "128th Infantry Memorial Highway."

For further information see the **state** fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

- 3 SECTION 1. 84.10315 of the statutes is created to read:
4 **84.10315 128th Infantry Memorial Highway.** (1) The department shall
5 designate and, subject to sub. (2), mark the entire route of STH 128, commencing at

1 STH 72 in Pierce County and proceeding northerly to STH 64 in St. Croix County,
2 as the "128th Infantry Memorial Highway" to honor the members of the 128th
3 Battalion of the 32nd Infantry Brigade for bravery, sacrifice, and devotion in their
4 service in Iraq as well as World Wars I and II.

5 (2) Upon receipt of sufficient contributions from interested parties, including
6 any county, city, village, or town, to cover the costs of erecting and maintaining
7 markers ^{e for} ~~along~~ the route specified in sub. (1) to clearly identify ^e ~~to motorists~~ the
8 designation of the route as the "128th Infantry Memorial Highway," the department
9 shall erect and maintain the markers. No state funds, other than from the receipt
10 of contributions under this subsection, may be expended for the erection or
11 maintenance of the markers.

12 (END)

Gary, Aaron

From: Schneider, Alicia
Sent: Monday, January 28, 2013 3:12 PM
To: Gary, Aaron
Subject: RE: Corrections to a LRB for drafting

Hi Aaron,

This property is under the control of St. Croix County. I had the same concerns about adding such language. I have spoken with both the DOT and the County fairgrounds president. The DOT is trying to move away from renaming highways etc and would like a location specified because of that reason. The fairgrounds have heard and understood the language I suggested be added to the bill and have agreed to it.

I know bills like this have been drafted in the past, but some have just changed the road signs. I agree there should be location language added to the bill to keep it where the agreed upon location is. If you have any suggestions please let me know otherwise draft it with the suggested addition and I will review it with the legislator afterwards. Thank you for your time and help.

Regards,

Alicia Schneider

Legislative Aide

Office Of State Representative John Murtha

(608) 266-7683

alicia.schneider@legis.wisconsin.gov

From: Gary, Aaron
Sent: Saturday, January 26, 2013 7:41 AM
To: Schneider, Alicia
Subject: RE: Corrections to a LRB for drafting

Hi Alicia,

Is this property under county control? We could specify that in statute, but what if St. Croix County ultimately says no or, 10 years from now, withdraws authority for a marker on county property? If this is DOT-owned/state-owned property, then such specificity is fine. But if this fairground property is not under control of the state, requiring such specificity has its risks, as it may mean that no marker is placed if for some reason the county ultimately rejects placement of the marker on its property.

But the decision is ultimately yours on whether to include such language. I can add it if you want. Just let me know. Thanks. Aaron

Aaron R. Gary
Attorney, Legislative Reference Bureau
608.261.6926 (voice)
608.264.6948 (fax)
aaron.gary@legis.state.wi.us

From: Schneider, Alicia

Sent: Friday, January 25, 2013 4:18 PM
To: Gary, Aaron
Subject: RE: Corrections to a LRB for drafting

Hi Aaron,

Thank you for the draft, everything look great. I was wondering if we could add just a few more words regarding the location. On line 9 after the work markers if we could add "on the property of the St. Croix County fairgrounds" or something to that affect. We would like to make it known that is where we would like it to go without completely specifying a spot.

Please let me know if this will work.

Thank you,

Alicia Schneider
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Office Of State Representative John Murtha
(608) 266-7683
alicia.schneider@legis.wisconsin.gov

From: Gary, Aaron
Sent: Wednesday, January 23, 2013 12:10 PM
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Thank you,



State of Wisconsin
2013 - 2014 LEGISLATURE

in
1/29



LRB-1290/11 PZ

ARG:eev:jm

Soon

Stays RMR

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

D-Note

Per FV

regen

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4 service in Iraq as well as World Wars I and II.

5 (2) Upon receipt of sufficient contributions from interested parties, including
6 any county, city, village, or town, to cover the costs of erecting and maintaining
7 markers for the route specified in sub. (1) to clearly identify the designation of the
8 route as the "128th Infantry Memorial Highway," the department shall erect and
9 maintain the markers. No state funds, other than from the receipt of contributions
10 under this subsection, may be expended for the erection or maintenance of the
11 markers.
12

(END)

D. Note

on the property of the St. Croix
County fairgrounds

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-1290/P2dn

ARG:.....

ew

date

ATTN: Alicia Schneider

Please review the attached draft carefully to ensure that it is consistent with your intent. As we discussed, the problem with requiring the markers to be placed on property that is not under the control of DOT is that the property owner may ultimately deny consent to placement of the markers or a subsequent fairgrounds president or board may revoke consent. Without consent, it is possible that the statutory directive in this draft would be unenforceable and, because the statute is so specific, markers could not be placed elsewhere. If the statute is silent on the location of the markers, DOT and the fairgrounds can still negotiate for placement of the markers on the fairgrounds and agree to their placement there. From my view, there is a risk to being so specific in the statute about the placement of the markers but nothing to be gained.

Please let me know if you would like any changes made to the attached draft or if you have any questions. If the attached draft meets with your approval, let me know and I will convert it to an introducible "/1" draft.

Aaron R. Gary
Legislative Attorney
Phone: (608) 261-6926
E-mail: aaron.gary@legis.state.wi.us

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1290/P2dn
ARG:eev:ph

January 31, 2013

ATTN: Alicia Schneider

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Legislative Attorney
Phone: (608) 261-6926
E-mail: aaron.gary@legis.state.wi.us

Gary, Aaron

From: Schneider, Alicia
Sent: Tuesday, February 19, 2013 11:48 AM
To: Gary, Aaron
Subject: RE: Corrections to a LRB for drafting

Aaron,

Thank you for forwarding the email. I apologize I must have lost it in my inbox last week. That language works, thank you.

Thank you,

Alicia Schneider

Research Assistant

Office Of State Representative John Murtha

(608) 266-7683

alicia.schneider@legis.wisconsin.gov

From: Gary, Aaron
Sent: Tuesday, February 19, 2013 11:43 AM
To: Schneider, Alicia
Subject: FW: Corrections to a LRB for drafting

FYI, below

From: Gary, Aaron
Sent: Tuesday, February 12, 2013 9:22 AM
To: Schneider, Alicia
Subject: RE: Corrections to a LRB for drafting

Hi Alicia,

I have changed the last part of the sentence on p. 2, lines 8 and 9 to read "..., the department shall erect and maintain 2 markers, at separate locations, for the route." DOT would have the option of locating the markers on state property or entering into an agreement to locate them on local govt property or private property – however DOT wants to do it. Typically we draft this type of statute to specify the end the result, not the details of how DOT goes about doing it.

Will this language work for you?

Thanks. Aaron

Aaron R. Gary
Attorney, Legislative Reference Bureau
608.261.6926 (voice)

608.264.6948 (fax)
aaron.gary@legis.state.wi.us

From: Schneider, Alicia
Sent: Monday, February 11, 2013 11:29 AM
To: Gary, Aaron
Subject: RE: Corrections to a LRB for drafting

Good Morning Aaron,

Would it be possible to change the language to something that would state the DOT would find two locations and make agreements between those sites? That way we would not have to have a specific places.

Thank you,

Alicia Schneider
Research Assistant
Office Of State Representative John Murtha
(608) 266-7683
alicia.schneider@legis.wisconsin.gov

From: Gary, Aaron
Sent: Monday, January 28, 2013 3:22 PM
To: Schneider, Alicia
Subject: RE: Corrections to a LRB for drafting

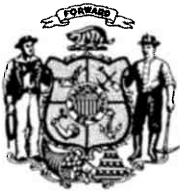
Hi Alicia,
I'll go ahead and redraft to make the changes. Aaron

Aaron R. Gary
Attorney, Legislative Reference Bureau
608.261.6926 (voice)
608.264.6948 (fax)
aaron.gary@legis.state.wi.us

From: Schneider, Alicia
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To: Gary, Aaron
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TODAY
if possible



LRB-129042 P3
ARG:eev:ph

stays LMR

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

in
2/19

- 1 **AN ACT to create** 84.10315 of the statutes; **relating to:** designating and marking
2 STH 128 as the 128th Infantry Memorial Highway.

Analysis by the Legislative Reference Bureau

Under current law, certain highway routes and bridges have been designated and marked to memorialize, commemorate, or recognize certain individuals, groups, or events. This bill directs the Department of Transportation to designate and, upon receipt of sufficient contributions from interested parties, mark the route of STH 128 in Pierce and St. Croix counties as the "128th Infantry Memorial Highway" to honor the members of the 128th Battalion of the 32nd Infantry Brigade for bravery, sacrifice, and devotion in their service in Iraq as well as World Wars I and II. No state funds, other than from contributions from interested parties, may be used for the erection or maintenance of any markers to identify the highway as the "128th Infantry Memorial Highway."

For further information see the **state** fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

- 3 **SECTION 1.** 84.10315 of the statutes is created to read:
4 **84.10315 128th Infantry Memorial Highway.** (1) The department shall
5 designate and, subject to sub. (2), mark the entire route of STH 128, commencing at

1 STH 72 in Pierce County and proceeding northerly to STH 64 in St. Croix County,
2 as the "128th Infantry Memorial Highway" to honor the members of the 128th
3 Battalion of the 32nd Infantry Brigade for bravery, sacrifice, and devotion in their
4 service in Iraq as well as World Wars I and II.

5 (2) Upon receipt of sufficient contributions from interested parties, including
6 any county, city, village, or town, to cover the costs of erecting and maintaining
7 markers for the route specified in sub. (1) to clearly identify the designation of the
8 route as the "128th Infantry Memorial Highway," the department shall erect and
9 maintain ² the markers ^{at separate locations, for the route} ~~on the property of the St. Croix County fairgrounds~~. No state
10 funds, other than from the receipt of contributions under this subsection, may be
11 expended for the erection or maintenance of the markers.

12 (END)

Gary, Aaron

To: Schneider, Alicia
Subject: RE: Corrections to a LRB for drafting

From: Schneider, Alicia
Sent: Tuesday, March 05, 2013 10:44 AM
To: Gary, Aaron
Subject: RE: Corrections to a LRB for drafting

Good Morning Aaron,

Thank you for your help in drafting this legislation. I am ready to jacket the bill and would also like to give permission to Sen. Harsdorf to jacket the bill and release a version in the senate.

Thank you,

Alicia Schneider
Research Assistant
Office Of State Representative John Murtha
(608) 266-7683
alicia.schneider@legis.wisconsin.gov



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-1290/1

ARG:eev:jm

stays

RMN

wanted
3/6

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

No changes

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2 STH 128 as the 128th Infantry Memorial Highway.

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8 route as the “128th Infantry Memorial Highway,” the department shall erect and
9 maintain 2 markers, at separate locations, for the route. No state funds, other than
10 from the receipt of contributions under this subsection, may be expended for the
11 erection or maintenance of the markers.

12 (END)